

**REMARKS/ARGUMENTS**

The Office Action mailed January 23, 2006 has been reviewed and carefully considered. Claims 1, 3-5, 7-14, and 16-17 are pending in this application, with claims 1, 11, and 16 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

**Claim Amendments**

Independent claim 1 is amended to incorporate the limitation of dependent claim 6 and intervening claim 2. Claims 2, 6, and 15 are canceled without prejudice.

Independent claim 16 is amended to recite a wheel adapter and a bearing unit and a means for lifting and lowering the bearing unit. Support for the wheel adapter and bearing unit is found in the last five lines of paragraph 0014. Support for the means for lifting and lowering the bearing unit is found at paragraphs 0016 - 0018 and Fig. 1.

**Rejections of claims under 35 U.S.C. §112**

Claim 6 is rejected under 35 U.S.C. §112, second paragraph as being indefinite. The limitations of claim 6 are incorporated in independent claim 1. The Examiner requests clarification regarding where the adapter 2 ends with regard to the structure shown in Fig. 2 and the description on the top of page 8 of the specification. The adapter 2 is better viewed in Fig. 1. The first five lines of page 8 of the specification state that the wheel adapter 2 includes a conical projection 34 which is held by a bearing unit 4. Accordingly, the adapter includes the part indicated by reference character 2 and the conical projection 34 in Fig. 1. The adapter 2 is shown to the left of the bearing unit 4 in Fig. 2, wherein the portion of conical projection 34 that is held in the bearing unit 4 is hidden by the bearing unit 4. In view of the above amendments and remarks, the rejection of claim 6 under 35 U.S.C. §112, second paragraph, is now overcome.

**Rejection of claims under 35 U.S.C. §§102 and 103**

Claims 1, 2, 3, and 15 stand rejected under 35 U.S.C. §102 and being anticipated by U.S. Patent No. 6,427,528 (Yamakado).

Claims 4, 9, 10, 7, 8, 16, and 17 stand rejected under 35 U.S.C. §103 as unpatentable over Yamakado.

Claims 11-14 are allowed. Claim 5 was found to contain allowable subject matter. Although the finding of allowable subject matter is appreciated, Applicant presents the following arguments for the patentability of independent claims 1 and 16.

Independent claim 1 is amended to include the limitations of dependent claim 6 and intervening claim 2 and recites "a wheel adapter operable to couple said lifting and lowering device to said wheel while the wheel is mounted on a vehicle and so as to rotate with said wheel relative to said lifting and lowering device", "a bearing unit rotatable about a pivot axis extending transversely to an axis of rotation of the wheel adapter so as to change the track of the wheel, the wheel adapter being rotatably arranged in and coupled to the bearing unit", "a mount pivotably mounted to joint blocks", "a plurality of connecting arms connecting the bearing unit to the mount", "said lifting and lowering device comprising linear drives for lifting and lowering the joint blocks in linear guides in a predetermined way".

Yamakado discloses an apparatus for the method of testing a vehicle. According to Fig. 1a of Yamakado, each tire of a vehicle O is carried on a belt 3, 4, 5, 6 (see col. 4, lines 24-27; and Fig. 1a of Yamakado). The vehicle O is fixed to a frame 10 by arresting members 2 (col. 4, lines 35-37). Actuators 11, 12, 13, 14, 15, 16 are fixed to the frame 10 for applying forces on the vehicle O (col. 5, lines 6-10). Forces on the tires are measured by detecting means 31, 32 (col. 5, line 66 to col. 6, line 2; Fig. 2). In a further embodiment (Fig. 17), Yamakado discloses

actuators 110, 120, and 150 for changing the force on the tires. Yamakado does not show an adapter connected for rotating with a vehicle wheel and held in a bearing unit connected to joint blocks which are lifted and lowered by linear drives, as recited in independent claim 1. Accordingly, independent claim 1, as amended, is not anticipated by Yamakado. Furthermore, since Yamakado discloses that the force on the tires is changed by actuators 11-16 or actuators 110, 120, and 150, Yamakado fails to teach or suggest the claimed bearing unit connected to the linear drives. Accordingly, independent claim 1 is also allowable over Yamakado.

Independent claim 16 similarly recites "a wheel adapter operable to couple said means for changing the contact force  $F_A$  to said wheel while the wheel is mounted on a vehicle and so as to rotate with said wheel relative to said means for changing the contact force  $F_A$ ", "a bearing unit rotatable about a pivot axis extending transversely to an axis of rotation of the wheel adapter so as to change the track of the wheel, the wheel adapter being rotatably arranged in and coupled to the bearing unit, said means for changing the contact force  $F_A$  comprising means for lifting and lowering said bearing unit". As stated above, Yamakado discloses that actuators 11-16 or actuators 110, 120, and 150 are used to change the force. Since these actuators disclosed by Yamakado act on the vehicle itself and not on a bearing unit holding an adapter that rotates with the wheels, independent claim 16 is also allowable over Yamakado.

Dependent claims 3-5, 7-10, and 17, each being dependent on one of independent claims 1 and 16, are deemed allowable for the same reasons expressed above with respect to independent claims 1 and 16, as well as for the additional recitations contained therein.


The application is now deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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